

DATA COLLECTION TEMPLATE FOR SEXUAL HARASSMENT INCIDENTS

Background

Public Law 112-239, 126 STAT. 1764, Section 579(b) requires the Secretary of Defense to collect information and data on substantiated incidents of sexual harassment involving members of the Armed Forces for the preceding fiscal year.

Sexual Harassment

The definition of sexual harassment applicable to this report is described in DoD Directive 1350.2, *"Department of Defense Military Equal Opportunity (MEO) Program."* Other terms addressed in this template are defined in Section O. The data in this template includes information on formal and informal sexual harassment complaints gation.

General Instructions

- (1) Review the information requested for each section and enter appropriate number (#) in each column for FY2015.
- (2) Where the information is available, but there are no numbers, write zero "0."
- (3) Where the information is not available or not applicable, write "N/A."
- (4) Information on formal and informal complaints that were pending at the end of the previously reported fiscal year (FY14) should be summarized in this report's analysis section.
- (5) Roll your cursor over each cell with a red mark in the upper right corner for clarifying information, information on what data should be entered in the cell, or whether the cell will automatically generate a number based on an embedded formula. Cells that will have automatically generated totals are highlighted in dark blue.

A. TOTAL NUMBER OF SEXUAL HARASSMENT COMPLAINTS.

In this section, record the total number of formal and informal complaints in each requested sub-category. The total number of formal and informal complaints should equal the sum of the sub-categories (for example, the total number of formal complaints should equal the sum of substantiated, unsubstantiated, and pending formal complaints).

| | |
|-------------------------------------|------------|
| A1. Formal Complaints | |
| # Total formal complaints | 130 |
| # Formal substantiated complaints | 70 |
| # Formal unsubstantiated complaints | 32 |
| # Pending formal complaints | 28 |

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| A2. Informal Complaints | |
| # Total informal complaints referred for investigation/inquiry | 0 |
| # Informal substantiated complaints referred for investigation/inquiry | 0 |
| # Informal unsubstantiated complaints referred for investigation/inquiry | 0 |
| # Pending informal complaints referred for investigation/inquiry | 0 |

B. COMPLAINTS INVOLVING THE SAME (REPEAT) OFFENDER.

In this section, record the number of formal and informal complaints in each sub-category involving the same or "repeat" offender(s). The total number of formal and informal complaints should equal the sum of the sub-categories (for example, the total number of formal complaints should equal the sum of substantiated, unsubstantiated, and pending formal complaints).

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| B1. Formal Complaints | |
| # Total formal complaints involving the same offender | 11 |
| # Substantiated formal complaints involving the same offender | 7 |
| # Unsubstantiated formal complaints involving the same offender | 2 |
| # Pending formal complaints involving the same offender | 2 |

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| B2. Informal Complaints | |
| # Total informal complaints involving the same offender | 0 |
| # Substantiated informal complaints involving the same offender | 0 |
| # Unsubstantiated informal complaints involving the same offender | 0 |
| # Pending informal complaints involving the same offender | 0 |

C. DISPOSITION FOR REPEAT OFFENDERS IN SUBSTANTIATED COMPLAINTS.

In this section, record the corrective action(s) taken for repeat offenders in formal and informal substantiated complaints. Use your analysis section to describe unusual circumstances (e.g., more than one offender in a complaint or more than one type of corrective action administered to one offender).

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| C1. Formal Substantiated Complaints | |
| # Repeat offenders in formal substantiated complaints | 3 |
| # Repeat offenders pending corrective action as of the end of reporting fiscal year | 0 |
| # Corrective actions administered to repeat offenders as of the end of reporting fiscal year | 3 |
| # Courts-martial | 0 |
| # Non-judicial punishments | 3 |
| # Discharges in lieu of court-martial | 0 |
| # Discharges in lieu of disciplinary action | 0 |
| # Referred to agency outside of DoD | 0 |
| # Adverse or administrative actions | 0 |
| # Other (include comments in the analysis section of your report) | 0 |

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| C2. Informal Substantiated Complaints | |
| # Repeat offenders in informal substantiated complaints | 0 |
| # Repeat offenders pending corrective action as of the end of reporting fiscal year | 0 |
| # Corrective actions administered to repeat offenders as of the end of reporting fiscal year | 0 |
| # Courts-martial | 0 |
| # Non-judicial punishments | 0 |
| # Discharges in lieu of court-martial | 0 |
| # Discharges in lieu of disciplinary action | 0 |
| # Referred to agency outside of DoD | 0 |
| # Adverse or administrative actions | 0 |
| # Other (include comments in the analysis section of your report) | 0 |

D. NOTIFICATIONS TO GENERAL COURT MARTIAL CONVENING AUTHORITY (GCMCA).

In this section, record the following: (1) the number of formal and informal complaints that resulted in notification of the GCMCA; (2) the number of formal and informal complaints reported to the GCMCA within 72 hours; and (3) the number of formal and informal complaints reported to the GCMCA beyond 72 hours.

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| D1. # Total Formal Complaints (Total number from Section A1.) | |
| # Formal complaints that resulted in GCMCA notification | 130 |
| # Formal complaints reported to GCMCA within 72 Hours | 123 |
| # Formal complaints reported to GCMCA beyond 72 Hours | 7 |

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| D2. # Informal Complaints (Total number from Section A2.) | |
| # Informal complaints that resulted in GCMCA notification | 0 |
| # Informal complaints reported to GCMCA within 72 Hours | 0 |
| # Informal complaints reported to GCMCA beyond 72 Hours | 0 |

E. LENGTH OF TIME BETWEEN WHEN THE INCIDENT OCCURRED AND WHEN THE COMPLAINT WAS REPORTED BY COMPLAINANT.

DoD MEO policy encourages reporting of complaints within 60 days of the incident. In this section, record the following: (1) the total number of formal and informal complaints (2) the number of formal and informal complaints reported within 60 days following the incident; (3) the number of formal and informal complaints reported beyond 60 days of the incident; and (4) the number of formal and informal complaints where the time is unknown between when the incident occurred and when the complainant reported the incident.

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| E1. Total Complaints | |
| # Total of Formal and Informal Complaints | 130 |

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| E2. Formal Complaints | |
| # Total formal complaints | 130 |
| # Formal complaints made less than or equal to 60 days following the incident | 74 |
| # Formal complaints made more than 60 days following the incident | 35 |
| # Formal complaints where the time is unknown between when the incident occurred and when the complainant reported the incident | 21 |

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| E3. Informal Complaints | |
| # Total informal complaints | 0 |
| # Informal complaints made less than or equal to 60 days following the incident | 0 |
| # Informal complaints made more than 60 days following the incident | 0 |
| # Informal complaints where the time is unknown between when the incident occurred and when the complainant reported the incident | 0 |

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| F. OCCURRENCE OF SUBSTANTIATED COMPLAINTS. | |
| F1. Formal Substantiated Complaints | |
| # Total number of substantiated complaints | 70 |
| # On Duty (i.e., during duty hours) | 47 |
| # Off Duty (i.e., during time off) | 8 |
| # Both (during duty hours and during time off) | 15 |
| # Unknown/Unreported | 0 |

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| F2. Informal Substantiated Complaints | |
| # Total number of substantiated complaints | 0 |
| # On Duty (i.e., during duty hours) | 0 |
| # Off Duty (i.e., during time off) | 0 |
| # Unknown/Unreported | 0 |

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| G. NATURE OF ALLEGATIONS IN SUBSTANTIATED COMPLAINTS. | |
| In this section, record the number of formal and informal substantiated complaints occurring in the sub-categories of allegations identified below. The numbers in this section may not be additive since one complaint may contain several allegations. | |
| G1. Identify Nature of Allegation(s) in Substantiated Formal Complaints | |
| # Substantiated incidents of crude/offensive behavior | 51 |
| # Substantiated incidents of unwanted sexual attention | 34 |
| # Substantiated incidents of sexual coercion | 1 |

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| G2. Identify Nature of Allegation(s) in Substantiated Informal Complaints | |
| # Substantiated incidents of crude/offensive behavior | 0 |
| # Substantiated incidents of unwanted sexual attention | 0 |
| # Substantiated incidents of sexual coercion | 0 |

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| H. FIRST-TIME OFFENDERS AND REPEAT OFFENDERS (TOTAL) IN SUBSTANTIATED COMPLAINTS. | |
| In this section, record the number of all offenders in substantiated complaints; the number of all offenders pending receipt of corrective actions as of the end of the reporting fiscal year; and the number of the types of completed corrective actions as of the end of the reporting fiscal year. Report this information for formal and informal substantiated complaints. Use your analysis section to describe unusual circumstances (e.g., more than one offender in a complaint or more than one type of corrective action administered to one offender). | |
| H1. Formal Substantiated Complaints | |
| # Total offenders in formal substantiated complaints | 75 |

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| # Total offenders pending corrective action as of the end of reporting fiscal year | 0 |
| # Corrective actions administered to all offenders as of the end of reporting fiscal year | 75 |
| # Court-martial | 5 |
| # Non-judicial punishments | 61 |
| # Discharges in lieu of court martial | 1 |
| # Discharges in lieu of disciplinary action | 0 |
| # Referred to agency outside of DoD | 0 |
| # Adverse or administrative actions | 7 |
| # Other (include comments in the analysis section of your report) | 1 |

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| H2. Informal Complaints | |
| # Total offenders in informal substantiated complaints | 0 |
| # Total offenders pending corrective action as of the end of reporting fiscal year | 0 |
| # Corrective actions administered to all offenders as of the end of reporting fiscal year | 0 |
| # Court-martial | 0 |
| # Non-judicial punishments | 0 |
| # Discharges in lieu of court-martial | 0 |
| # Discharges in lieu of disciplinary action | 0 |
| # Referred to agency outside of DoD | 0 |
| # Adverse or administrative actions | 0 |
| # Other (include comments in the analysis section of your report) | 0 |

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| I. OFFENDER CHARACTERISTICS IN SUBSTANTIATED FORMAL COMPLAINTS. | |
| I1. Male Offender(s) by Pay Grade and Employment | |
| # E1-E4 | 11 |
| # E5-E6 | 28 |
| # E7-E9 | 29 |
| # W01-W05 | 0 |
| # O1-O3 | 3 |
| # O4-O6 | 2 |
| # O7-O10 | 0 |
| # Civilian employee | 1 |
| # Contractor | 0 |
| # Other | 0 |

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|---|---|
| I2. Female Offender(s) by Pay Grade and Employment | |
| # E1-E4 | 1 |
| # E5-E6 | 0 |
| # E7-E9 | 0 |
| # W01-W05 | 0 |
| # O1-O3 | 0 |
| # O4-O6 | 0 |
| # O7-O10 | 0 |
| # Civilian employee | 0 |
| # Contractor | 0 |
| # Other | 0 |

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| J. OFFENDER CHARACTERISTICS IN SUBSTANTIATED INFORMAL COMPLAINTS. | |
| J1. Male Offender(s) by Pay Grade and Employment | |
| # E1-E4 | 0 |
| # E5-E6 | 0 |
| # E7-E9 | 0 |
| # W01-W05 | 0 |

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| | |
|---------------------|---|
| # O1-O3 | 0 |
| # O4-O6 | 0 |
| # O7-O10 | 0 |
| # Civilian employee | 0 |
| # Contractor | 0 |
| # Other | 0 |

| | |
|---|---|
| J2. Female Offender(s) by Pay Grade and Employment | |
| # E1-E4 | 0 |
| # E5-E6 | 0 |
| # E7-E9 | 0 |
| # W01-W05 | 0 |
| # O1-O3 | 0 |
| # O4-O6 | 0 |
| # O7-O10 | 0 |
| # Civilian employee | 0 |
| # Contractor | 0 |
| # Other | 0 |

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| K. COMPLAINANT CHARACTERISTICS IN SUBSTANTIATED FORMAL COMPLAINTS. | |
| K1. Female Complainant(s) by Pay Grade | |
| # E1-E4 | 42 |
| # E5-E6 | 21 |
| # E7-E9 | 3 |
| # W01-W05 | 0 |
| # O1-O3 | 1 |
| # O4-O6 | 0 |
| # O7-O10 | 0 |

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|---|----|
| K2. Male Complainant(s) by Pay Grade | |
| # E1-E4 | 16 |
| # E5-E6 | 7 |
| # E7-E9 | 0 |
| # W01-W05 | 0 |
| # O1-O3 | 0 |
| # O4-O6 | 0 |
| # O7-O10 | 0 |

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|---|---|
| L. COMPLAINANT CHARACTERISTICS IN SUBSTANTIATED INFORMAL COMPLAINTS. | |
| L1. Female Complainant(s) by Pay Grade | |
| # E1-E4 | 0 |
| # E5-E6 | 0 |
| # E7-E9 | 0 |
| # W01-W05 | 0 |
| # O1-O3 | 0 |
| # O4-O6 | 0 |
| # O7-O10 | 0 |

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|---|---|
| L2. Male Complainant(s) by Pay Grade | |
| # E1-E4 | 0 |
| # E5-E6 | 0 |
| # E7-E9 | 0 |

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| | |
|-----------|---|
| # W01-W05 | 0 |
| # O1-O3 | 0 |
| # O4-O6 | 0 |
| # O7-O10 | 0 |

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M. RELATIONSHIP OF OFFENDER(S) TO COMPLAINANT(S) IN SUBSTANTIATED FORMAL AND INFORMAL COMPLAINTS.

In this section, record the number of offenders in substantiated formal and informal complaints described in the sub-categories below. Use the “other” sub-category to capture a relationship not described below. Provide an explanation of the number in the other sub-category in your analysis section.

| M1. Relationship of Offender(s) to the Complainant(s) in Substantiated Formal Complaints | |
|---|----|
| # Military coworker | 20 |
| # Member chain of command | 45 |
| # Military subordinate | 1 |
| # Military person of higher rank/grade who was not in chain of command | 26 |
| # Other military person(s) | 2 |
| # Person in the local community | 0 |
| # Civilian | 1 |
| # Contractor | 0 |
| # Same unit | 90 |
| # Other | 0 |
| # Same gender | 24 |
| # Different gender | 71 |

| M2. Relationship of Offender(s) to the Complainant(s) in Substantiated Informal Complaints | |
|---|---|
| # Military coworker | 0 |
| # Member chain of command | 0 |
| # Military subordinate | 0 |
| # Military person of higher rank/grade who was not in chain of command | 0 |
| # Other military person(s) | 0 |
| # Person in the local community | 0 |
| # Civilian | 0 |
| # Contractor | 0 |
| # Same unit | 0 |
| # Other | 0 |
| # Same gender | 0 |
| # Different gender | 0 |

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N. ANALYSIS

This section should be used to help provide a clear understanding of the relationship between the information and data displayed in the template. Examples would be to identify trends, anomalies, or factors bearing on Military Service, National Guard, or DoD policy guidance related to prevention of sexual harassment efforts. The remarks in this section may also include any pertinent information related to data collected regarding service members accused of multiple incidents of sexual harassment and explanations of gaps or missing data in your report resulting from existing Military Service and National Guard policies or procedures.

For the items in this spreadsheet that ask for further explanation, please explain the information as it pertains to "other" (if applicable).

C1. Other corrective actions administered to repeat offenders in formal complaints during the fiscal year.

C2. Other corrective actions administered to repeat offenders in informal complaints during the fiscal year.

H1. Other corrective actions administered to all offenders in formal complaints during the fiscal year.

H2. Other corrective actions administered to all offenders in informal complaints during the fiscal year.

The following is a synopsis of data collected in each section:

Section A – Total number of sexual harassment complaints:

- There were a total of 130 formal complaints with 70 (54%) of them being substantiated.
- There were zero informal complaints reported. Navy policy does not mandate the documentation, tracking, and reporting of informal complaints.

Section B – Complaints involving the same (repeat) offender:

- Six alleged offenders/offenders were listed in the eleven formal complaints annotated in this section.

Section C – Disposition for repeat offenders in substantiated complaints:

- There were three male offenders in the seven substantiated complaints from Section B; one E-5, one E-6, and one E-7.

Section D – Notifications to General Court Martial Convening Authority (GCMCA):

- 95% of formal complaints were reported to the GCMCA within 72 hours of receipt.

Section E – Length of time between when the incident occurred and when the complaint was reported by the complainant:

- 57% of the formal complaints were reported within 60 days following the incident; 27% were reported after 60 days following the incident; and 16% the length of time between the incident and when the complaint was reported was unknown.

Section F – Occurrence of substantiated complaints:

- Of the substantiated formal complaints, 67% of the behaviors occurred on duty; 12% occurred off duty; and 22% occurred both on and off duty.
- A line item was added to the template to annotate those substantiated complaints in which the behaviors occurred both on and off duty.

Section G – Nature of allegations in substantiated complaints:

- The total of nature of allegations for substantiated formal complaints does not equal 70 due to multiple complaints involving multiple behavior types.
- 73% of substantiated complaints involved incidents of crude/offensive behavior.

Section H – Disposition for offenders in substantiated complaints:

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- There were 75 offenders in 70 substantiated formal complaints. Navy policy does not prohibit a complainant from naming multiple offenders in a formal complaint.
 - Corrective action was completed by the end of the fiscal year for 100% of these offenders.
 - One corrective action for formal substantiated complaints listed as “other” – the offender was discharged for misconduct, commission of a serious offense, as recommended by an administrative board.
- Section I – Offender characteristic in substantiated formal complaints:
- 99% of the offenders were male.
 - 39% of the offenders were in the enlisted ranks of E7-E9 and 37% of the offenders were in the enlisted ranks of E5-E6.
- Section J – Offender characteristics in substantiated informal complaints:
- There were zero informal complaints reported. Navy policy does not mandate the documentation, tracking, and reporting of informal complaints.
- Section K – Complainant characteristics in substantiated formal complaints:
- There were 90 complainants in 70 substantiated complaints. Navy policy does not prohibit multiple complainants being listed on the same complaint which is the reason there were more complainants in substantiated complaints.
 - 64% of the complainants were in the enlisted ranks of E1 - E4.
 - 74% of the complainants were female.
- Section L – Complainant characteristics in substantiated informal complaints:
- There were zero informal complaints reported. Navy policy does not currently mandate the documentation, tracking, and reporting of informal complaints.
- Section M1 – Relationship of offenders to complainants in substantiated formal complaints:
- Of the 70 substantiated formal complaints there were 95 relationships of offenders to complainants outlined. This takes into account the relationship that each offender in a substantiated complaint has with each complainant in that same complaint. Navy policy does not prohibit multiple alleged offenders or multiple complainants from being listed on the same complaint.
 - The total number of complainant – offender gender relationships equals the total number of complainant – offender working relationships.

O. DEFINITIONS

Unless otherwise noted, these terms and respective definitions are for the purposes of this report:

Crude/Offensive behavior: Offensive or embarrassing verbal/nonverbal behaviors of a sexual nature.

Fiscal Year: 2015 (October 2014 – September 2015)

Formal complaint: In accordance with DoD Directive (DoDD) 1350.2, an allegation of sexual harassment that is submitted in writing to the authority designated for receipt of such complaints in Service implementing regulations.

Informal complaint: In accordance with DoDD 1350.2, an allegation of sexual harassment, made either orally or in writing that is not submitted as a formal complaint.

Sexual coercion: Classic *quid pro quo* instances of special treatment or favoritism conditioned on sexual cooperation.

Substantiated complaint: If an allegation of sexual harassment in an informal or formal complaint is confirmed for a finding of sexual harassment through an inquiry or investigative process, the complaint should be recorded as substantiated in this report.

Unsubstantiated complaint: If none of the allegations in an informal or formal complaint is confirmed for a finding of sexual harassment through an inquiry or investigative process, the complaint should be recorded as unsubstantiated in this report.

Unwanted sexual attention: Unwanted attempts to establish a sexual relationship.